

REMARKS

Favorable reconsideration of this application, in light of the following discussion is respectfully requested.

Claims 1-4 and 7-18 are pending in the application. Claims 1, 7, 11, 14, 17 and 18 are amended. Support for the amended claims can be found in the original specification, claims and drawings.¹ Thus, no new matter is added.

In the outstanding Official Action, Claim 11 was objected to because of a minor informality; Claims 1-18 were rejected under 35 U.S.C. § 112, second paragraph; and Claims 1-18 were rejected under 35 U.S.C. § 102(b) as anticipated by Schwelb et al. (U.S. Patent No. 5,278,866, hereinafter "Schwelb").

Claim 11 was objected to because of a minor cosmetic informality. In response, Claim 11 is amended, as recommended in the Official Action, to remedy this informality. Accordingly, Applicants respectfully request that the objection to Claim 11 be withdrawn.

The outstanding Official Action rejects Claims 1-18 under 35 U.S.C. § 112, second paragraph, stating that the feature "'having the possibility of becoming a seam in mobile communication' is unclear." The Official Action further states that "[t]he object, in accordance with applicant's specification, is clearly a terminal" and "a terminal cannot be a 'seam' or interruption in communication."

Independent Claim 1 is amended, however, to recite "detecting one or more changes generated within an area assigned to one base station... *said changes including at least one of change in a communication environment... said change in the communication environment having the possibility of becoming a seam in mobile communication* and a change in a capability of said object to be inspected." Thus, Claim 1, and Claims 7, 11, 14, 17 and 18 are amended to clearly recite that the "seam," or interruption in communication, may result from

¹ e.g., specification, p. 23, lines 1-10.

a change in communication environment where the terminal exists. However, as recited in dependent Claims 2, 8, 12 and 15, an object to be inspected may include, for example, a communication terminal, transmission means for a radio area, or a transmission means within a network; and, as discussed at p. 23, lines 1-10, for example, detecting a change in one or more of these objects to be inspected may also result in a seam in communications. Thus, in exemplary situations (e.g., transition from light environment to dark environment), a change in communications environment may also result in a change in the capability of the object to be inspected (e.g., the visual feature of the terminal is no longer useful). Such claimed features are supported by the originally filed specification, and claims, as discussed in greater detail below.

Accordingly, Applicants respectfully request that the rejection of Claims 1-18 under 35 U.S.C. § 112, second paragraph, be withdrawn.

In response to the rejection based on Schwelb, Applicants respectfully submit that independent Claims 1, 7, 11, 14, 17 and 18 state novel features clearly not taught or rendered obvious by the applied references.

Amended independent Claim 1 relates to a mobile communication system for detecting a change in the communication environment and/or capability of a mobile terminal. The system responds to the detection by setting a network resource or a media type in conformity to the detected change to automatically eliminate at least one of a network seam, content seam and device seam resulting from the detected change.

Specifically, amended Claim 1 recites, *inter alia*, a mobile communication system, comprising:

... detecting ***one or more changes generated within an area assigned to one base station while a communication between said mobile terminal and said assigned one base station is established, said changes including*** at least one of change in a communication environment in which an object to be inspected exists, said change in the communication environment having the

possibility of becoming a seam in mobile communication, and a change in a capability of said object to be inspected...

setting means for newly setting at least one of a network resource and a media type in conformity to said change detected by said detecting means, for automatically eliminating at least one of a network seam, content seam and device seam which are caused by said detected change ...

Independent Claims 7, 11, 14 and 17-18 recite substantially similar features. Thus, the arguments presented below also apply to these pending independent claims.

In an exemplary embodiment, contents transmitted to a mobile device are converted from text to audio by the network when an optical sensor at the mobile device determines that the mobile device has transitioned from a light area to a dark area.² The system, therefore, enables "network seamless" for roaming between different kinds of networks, "contents seamless" for converting encoding or media, and "device seamless" for making it possible to utilize optimum I/O devices in conformity to surrounding environments.³

It should be further noted independent Claim 1 is amended to clearly recite that the changes may occur in an area assigned only to one base station having established communications with the mobile device. The detected change, therefore, does not correspond to a base station handover of the mobile device, but instead relates to detected changes in capability of the communications environment and/or object to be inspected within the an area assigned to "one" base station.

Turning to the applied reference, Schwelb describes that, to facilitate the delivery of text information to visually impaired subscribers, text messages are converted to an audible format by a network connected audio device, and the converted audio messages are sent via conventional voice/call connection to the receiving mobile station to.⁴

Schwelb, however, fails to teach or suggest detecting "*one or more changes generated within an area assigned to one base station while a communication between said*

² Id., p. 29, lines 22-26.

³ Id., p. 42, lines 1-11.

⁴ Schwelb, abstract.

mobile terminal and said assigned one base station is established,” and adjusting a network resource or media type in conformity to this change, as recited in amended independent Claim 1.

In addressing the features recited in previously pending independent Claim 1, the outstanding Official Action relies on col. 6, lines 26-47 of Schwelb, and asserts that a the reference shows a change in device capability “and this fully meets the limitations of the claim” since “a ‘device/content seam’ is ‘eliminated’ as the MSC automatically changes the status of content sent to a subscriber based on a report from the terminal.” However, the cited portion of Schwelb describes that the subscriber, through his or her mobile station (16 or 16’), may change the activation status of the non-seeing subscriber feature by entering a specific code and transmitting a signal (134) to the base station (12). Once the signal is received by the base station (12) it is forwarded to the home location register (24), which modifies the subscriber record accordingly. Thus, Schwelb describes that a user of the mobile device is able to manually change a setting stored in his or her registration information, thus resulting in a modification of the manner in which text messages are transmitted to the user. Such an operation is not a detection of a change in communication environment or a change in device capability, but instead is simply a change in registration settings selected by a user.

Further, Schwelb describes that when a mobile subscriber enters a new sub-area (34), a registration signal (104) is sent via an air interface (14) through a base station (12) to the currently serving mobile switching center (18).⁵ A subscriber record for the registering subscriber is then obtained, which indicates whether the subscriber is a non-seeing subscriber, or whether the subscriber has activated the feature of supporting audible delivery

⁵ Id., col. 5, line 32-col. 6, line 65 and Fig 4.

of text information.⁶ In this context, the Final Official Action of August 8, 2005, asserts that “newly setting at least one of a network resource and a media type” in response to the detection, as recited in independent Claim 1, is analogous to the detection and response to the of the non-seeing subscriber setting (setting a media type) in the mobile device while moving between mobile switching centers (change of environment).⁷

However, Schwelb fails to teach or suggest detecting *one or more changes generated within an area assigned to one base station while a communication between said mobile terminal and said assigned one base station is established*, and newly setting at least one of a network resource and a media type in conformity to said change detected. As noted above, the act of changing user registration settings is not analogous to detecting a change in an object to be inspected. Nonetheless, independent Claim 1 is amended to specifically recite that the changes are detected “within an area assigned to one base station while a communication between said mobile terminal and said assigned one base station is established.” As noted above, Schwelb describes a process of detecting a user’s settings (e.g., hearing impaired) during handoff between base stations, not within an area assigned to one base station, as recited in amended independent Claim 1

Therefore, Applicant’s respectfully submit that Schwelb fails to teach or suggest detecting *one or more changes generated within an area assigned to one base station while a communication between said mobile terminal and said assigned one base station is established*, and newly setting at least one of a network resource and a media type in conformity to said detection, as recited in amended independent Claim 1.

Accordingly, Applicants respectfully request that the rejection of independent Claims 1, 7, 11, 14, and 17-18 under 35 U.S.C. § 102(b) be withdrawn. As Claims 2-4, 7-10, 12-13,

⁶ Id.

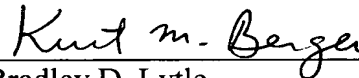
⁷ Final Official Action of August 19, 2005, p. 2.

and 15-16 depend from amended independent Claims 1, 7, 11, 14, and 17-18 respectively,
Applicants submit that these claims also patentably define over Schwelb.

Consequently, in view of the present amendment and in light of the foregoing comments, it is respectfully submitted that the invention defined by Claims 1-4 and 7-18 is patentably distinguishing over the prior art. The present application is therefore believed to be in condition for formal allowance and an early and favorable reconsideration of the application is therefore requested.

Respectfully submitted,

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